

FLOOD CONTROL ACT

Committee on Indian Affairs: Committee concluded an oversight hearing to examine the impact of the Flood Control Act of 1944 (Public Law 78-534) on Indian Tribes along the Missouri River, after receiving testimony from Robin M. Nazzaro, Director, and Jeffery Malcolm, Assistant Director, both of Natural Resources and Environment, Government Accountability Office; Ron His Horse Is Thunder, Standing Rock Sioux Tribe, Fort Yates, North Dakota; Michael B. Jandreau, Lower Brule Sioux Tribe, Lower Brule, South Dakota; Marcus Wells, Jr., Three Affiliated Tribes of the Fort Berthold Reservation, New Town, North Dakota; Roger Trudell, Santee Sioux Nation, Niobrara, Nebraska; Robert W. Cournoyer, Yankton Sioux Tribe, Marty, South Dakota; and John Yellowbird Steele, Oglala Sioux Tribe, Pine Ridge, South Dakota.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following:

S. 1946, to help Federal prosecutors and investigators combat public corruption by strengthening and clarifying the law, with an amendment in the nature of a substitute;

S. 2168, to amend title 18, United States Code, to enable increased federal prosecution of identity theft crimes and to allow for restitution to victims of identity theft, with an amendment in the nature of a substitute; and

The nominations of John Daniel Tinder, of Indiana, to be United States Circuit Judge for the Seventh Circuit, and Julie L. Myers, of Kansas, to be Assistant Secretary of Homeland Security.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 29 public bills, H.R. 4039-4067; 3 private bills, H.R. 4068-4070; and 6 resolutions, H. Con. Res. 245; and H. Res. 788-792, were introduced.

Pages H12453-55

Additional Cosponsors:

Pages H12455-56

Report Filed: A report was filed today as follows: H.R. 2857, to reauthorize and reform the national service laws, with an amendment (H. Rept. 110-420).

Page H12453

Speaker: Read a letter from the Speaker wherein she appointed Representative Weiner to act as Speaker Pro Tempore for today.

Page H12387

Journal: The House agreed to the Speaker's approval of the Journal by a recorded vote of 227 ayes to 187 noes with 1 voting "present", Roll No. 1029.

Pages H12396-97

Committee Elections: The House agreed to H. Res. 788, electing the following Member to serve on certain committees of the House of Representatives: Committee on Armed Services: Representative Tsongas (to rank immediately after Representative Giffords). Committee on the Budget: Representative

Tsongas (to rank immediately after Representative McGovern). **Page H12397**

Hardrock Mining and Reclamation Act of 2007:

The House passed H.R. 2262, to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, by a yea-and-nay vote of 244 yeas to 166 nays, Roll No. 1033.

Pages H12397-H12432

Rejected the Pearce motion to recommit the bill to the Committee on Natural Resources with instructions to report the same back to the House promptly with amendments, by a yea-and-nay vote of 170 yeas to 240 nays, Roll No. 1032.

Pages H12430-31

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule. **Page H12410**

Agreed by unanimous consent that during the consideration of H.R. 2262, the Rahall manager's amendment (No. 1 printed in H. Rept. 110-416) is modified by the form placed at the desk.

Pages H12420-21

Accepted:

Rahall modified manager's amendment (No. 1 printed in H. Rept. 110–416) that clarifies that “valid existing rights” associated with existing mining claims would be protected under the Act. It clarifies that in addition to paying a 4% royalty, existing operations will still need to come into compliance with the Act within 10 years; clarifies that the claim maintenance and location fees currently allotted to administration of the mining laws will continue to be so allotted, with the balance going to clean-up of abandoned hardrock mines, subject to appropriations; clarifies that user fees assessed by the BLM to process mining permit applications will be used for administration of the mining law program; limits the purview of section 504-citizen suits to permits issued pursuant to title III of the Act; and finally, clarifies that nothing under the Act will affect the sovereign immunity of any Indian Tribe;

Page H12421

Matsui amendment (No. 3 printed in H. Rept. 110–416) that states that river watershed areas may be considered as eligible and as priorities to receive funding from the Abandoned Locatable Minerals Mine Reclamation Fund; and

Pages H12422–23

Heller (NV) amendment (No. 4 printed in H. Rept. 110–416) that redirects 50 percent of the funds deposited into the Hardrock Reclamation Fund to states in proportion to the royalty funds generated there.

Pages H12423–24

Rejected:

Pearce amendment (No. 7 printed in H. Rept. 110–416) that sought to establish the Mineral Commodity Information Administration into a role in the Department of the Interior. This administration would have the Minerals Information Team (MIT) to collect, analyze, and disseminate information on the domestic and international supply of, and demand for, minerals and mineral materials critical to the U.S. economy and national security. The amendment would have removed the MIT from under the U.S. Geological Survey and established it as a stand-alone agency within the Department of the Interior and would have increased MIT's staff in order to perform the new and expanded functions authorized in the amendment;

Pages H12425–28

Pearce amendment (No. 2 printed in H. Rept. 110–416) that sought to strike the definition of “undue degradation” in the legislation (by a recorded vote of 173 ayes to 244 noes, Roll No. 1030); and

Pages H12421–22, H12428

Cannon amendment (No. 6 printed in H. Rept. 110–416) that sought to strike section 517—Mineral materials (by a recorded vote of 175 ayes to 240 noes, Roll No. 1031).

Pages H12424–25, H12429

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House.

Page H12432

H. Res. 780, the rule providing for consideration of the bill, was agreed to by a recorded vote of 224 ayes to 195 noes, Roll No. 1028, after agreeing to order the previous question by a yea-and-nay vote of 221 yeas to 194 nays, Roll No. 1027.

Pages H12389–96

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, November 5th for morning hour debate.

Page H12435

Providing for a recess of the House for a joint meeting to receive His Excellency Nicholas Sarkozy, President of the French Republic: Agreed by unanimous consent that it may be in order at any time on Wednesday, November 7, 2007, for the Speaker to declare a recess, subject to the call of the chair, for the purpose of receiving in joint meeting His Excellency Nicholas Sarkozy, President of the French Republic.

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Calendar Wednesday: Agreed by unanimous consent to dispense with the Calendar Wednesday business of Wednesday, November 7th.

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Providing for consideration of a Presidential veto: Agreed by unanimous consent that if a message transmitting a Presidential veto is laid before the House on Monday, November 5, 2007, then after the message is read and the objections of the President are spread at large upon the Journal, further consideration of the veto message and the bill shall be postponed until the following day, Tuesday, November 6, 2007.

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Presidential Message: Read a message from the President wherein he notified Congress of the continuation of the national emergency declared with respect to Sudan—referred to the Committee on Foreign Affairs and ordered printed (H. Doc. 110–70).

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Senate Messages: Message received from the Senate today and message received from the Senate by the Clerk and subsequently presented to the House today appear on page H12387.

Quorum Calls—Votes: Three yea-and-nay votes and four recorded votes developed during the proceedings of today and appear on pages H12395–96, H12396, H12397, H12428–29, H12429, H12431 and H12431–32. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 5:41 p.m.

Committee Meetings

CONTROLLING CARBON EMISSIONS

Committee on the Budget: Held a hearing on Counting the Change: Accounting for the Fiscal Impacts of Controlling Carbon Emissions. Testimony was heard from Peter Orszag, Director, CBO; and public witnesses.

COLLEGE COSTS AND EQUAL OPPORTUNITY

Committee on Education and Labor: Held a hearing on Barriers to Equal Educational Opportunities: Addressing the Rising Costs of a College Education. Testimony was heard from public witnesses.

FDA FOREIGN DRUG INSPECTION PROGRAM

Committee on Energy and Commerce: Subcommittee Oversight and Investigations held a hearing entitled "FDA Foreign Drug Inspection Program: A System at Risk." Testimony was heard from Marcia G. Crosse, Director, Public Health and Military Health Care Issues, GAO; Andrew C. Von Eschenbach, M.D., Commissioner, FDA, Department of Health and Human Services; Carl R. Nielsen, former Director, Division of Import Operations, Office of Regulatory Affairs, FDA, Department of Health and Human Services; and public witnesses.

AVIATION SECURITY

Committee on Homeland Security: Subcommittee on Transportation Security and Infrastructure Protection held a hearing entitled "Aviation Security Part II: A Frontline Perspective on the Need for Enhanced Human Resources and Equipment." Testimony was heard from public witnesses.

MOBILE-STATE WORKER TAX FAIRNESS

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on H.R. 3359, Mobile Workforce State Income Tax Fairness and Simplification Act of 2007. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES; ENHANCED RECOVERY AND EQUITABLE RETIREMENT ACT OF 2007

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security approved for full Committee action the following bills: H.R. 2489, Genocide Accountability Act of 2007; H.R. 3971, Death in Custody Reporting Act of 2007; H.R. 3992, Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2007.

The Subcommittee also held a hearing on H.R. 2878, Enhanced Financial Recovery and Equitable Retirement Treatment Act of 2007. Testimony was heard from Kenneth E. Melson, Director, Executive Office for U.S. Attorneys for the Eastern District of Virginia, Department of Justice; and public witnesses.

SOUTHEAST ARIZONA LAND EXCHANGE AND CONSERVATION ACT OF 2007

Committee on Natural Resources: Subcommittee on National Parks, Forests and Public Lands held a hearing on H.R. 3301, Southeast Arizona Land Exchange and Conservation Act of 2007. Testimony was heard from Joel Holtrop, Deputy Chief, National Forest System, Forest Service, USDA; Luke Johnson, Deputy Director, Bureau of Land Management, Department of the Interior; and public witnesses.

MEDICAID REGULATORY ACTIONS

Committee on Oversight and Government Reform: Held a hearing on The Administration's Regulatory Actions on Medicaid: The Effects on Patients, Doctors, Hospitals, and States. Testimony was heard from Marjorie Kanof, Managing Director, Health Care, GAO; Dennis Smith, Director, Center on Medicaid and State Operations, Centers for Medicare and Medicaid, Department of Health and Human Services.

COORDINATING FEDERAL AND STATE IT

Committee on Oversight and Government Reform: Subcommittee on Government Management, Organization and Procurement held a hearing on Too Many Cooks? Coordinating Federal and State Health IT. Testimony was heard from the following officials of the Department of Health and Human Services: Robert M. Kolodner, National Coordinator for Health Information Technology; Cheryl Austein Casnoff, Associate Administrator, Office of Health Information Technology, Health Resources Services Administration; and Carolyn M. Clancy, M.D., Director, Agency for Healthcare Research and Quality; Winston Price, M.D., Chair, Health IT and Transparency Advisory Board, State of Georgia; Lori Evans, Deputy Commissioner, Health IT Information, State of New York; Farzad Mostashari, M.D., Assistant Commissioner, Department of Health and Mental Hygiene, City of New York; and a public witness.

PENDING FREE TRADE AGREEMENTS IMPACTS

Committee on Small Business: Held a hearing on Evaluating the Impact of Pending Free Trade Agreements upon U.S. Small Businesses. Testimony was heard from John Veroneau, Deputy U.S. Trade Representative; and public witnesses.